

for or on account of any transaction, matter or thing concerning which she may testify or produce evidence, documentary or otherwise. If, upon examination under the provisions of Section 2, and also in the time of her travail, she accuses the same person of being the father of the child, and continues constant in such accusation, her accusation in time of travail shall be admissible in evidence upon the trial to corroborate her testimony.

SECTION 7. If any of the persons authorized by the provisions of Section 2 have intervened as therein provided, no complaint instituted by the mother shall be withdrawn, dismissed or settled by agreement between her and the putative father without the consent of the Court and of the person so intervening, unless provision is made to the satisfaction of the court, to relieve and indemnify any parent, guardian, County or City and County or the Territory from all charges which have accrued or may accrue for the maintenance and education of the child and for the costs of the complaint and the prosecution thereof.

SECTION 8. When the accused shall have been confined solely for failure to make the payments required or to enter into the bond as ordered, he may apply in writing to the Judge of the Juvenile Court, setting forth his inability to make such payments, notwithstanding his desire to do so, or to enter into such required bond, whereupon the Judge shall proceed to hear and determine the matter. If, on examination, it shall appear that the accused is unable to make such payments or to execute the required bond and that he has no property exceeding \$20.00 in value, except such as is by law exempt from being taken on execution for debt, the prisoner shall be discharged from imprisonment only but not from his obligation, if any, to support the child.

SECTION 9. The mother of such child, and any parent, guardian or other person as the next friend of such child, County or City and County, or the Territory, respectively may, at any time after the liberation of the accused as provided in Section 8, recover by civil action any amount of money for which he is liable to them respectively in pursuance of such order of Court.

SECTION 10. Should the accused fail to comply with any order of the Court entered as aforesaid, the bond shall be forfeited, and the money collected upon the forfeiture shall be applied in payment of the judgment against the accused.

SECTION 11. No prosecution under this Act shall be begun more than six months after the birth of the child, provided that the time during which the person alleged to be the father thereof shall be absent from the Territory shall not be computed.

SECTION 12. This Act shall take effect on January 1, 1914.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 102 AN ACT

TO PROVIDE FOR AN INVESTIGATION AND A REPORT OF THE SAME WITH RECOMMENDATIONS OF SURFACE WATER AND SOURCES IN THE DISTRICTS OF NORTH AND SOUTH KONA, ISLAND OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of \$5,000 is hereby appropriated from any funds in the Territorial Treasury not otherwise appropriated, to defray the expenses of the investigation and report hereinbelow provided for.

SECTION 2. That the Superintendent of Hydrography of the Bureau of Agriculture and Forestry, subject to the approval of the Board of Agriculture and Forestry, is hereby authorized and directed to investigate what, if any, sources of surface water supply exist, or are likely to be found in the districts of North and South Kona, Island of Hawaii, and what sites, if any, exist for the storage of water in said districts, and to report and make recommendations, and preliminary estimates of cost thereon as soon as possible after the completion of the survey in said districts, said report, recommendations, and estimates to be submitted not later than April 1st, 1915.

SECTION 3. This Act shall take effect on July 1, 1913.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 103 AN ACT

TO SECURE THE PURITY OF SUPPLIES OF POTABLE WATER IN THE TERRITORY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. No water shall be furnished for potable purposes in the Territory by any person, firm, corporation, or organization of any kind, county, municipal or territorial department, whether for pay or without pay, except after a certificate first obtained of the Territorial Board of Health setting forth that said Board has examined the potability of the water intended to be furnished, the source of its supply, the system of its distribution and that the water, source and system of distribution are reasonably free from contamination and pollution and that the water at the time is in the opinion of the Board suitable for potable purposes without danger to public health.

SECTION 2. No person, firm, corporation or organization of any kind, county, municipal or territorial department shall continue to furnish water for potable purposes after written notice from the Territorial Board of Health that the water, the source of supply or system of distribution is not free from contamination or pollution and that the water is in the opinion of the Board unsuitable for potable purposes and dangerous to public health.

SECTION 3. Any person, firm, corporation or organization of any kind, who shall furnish or continue to furnish water for potable purposes contrary to the provisions of this Act shall upon conviction be punished by a fine of not more than One Hundred Dollars.

SECTION 4. This Act shall take effect on January 1, 1914.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 104—

ACT 104

TO AMEND SECTION 3130 OF THE REVISED LAWS OF HAWAII, RELATING TO COMMON NUISANCE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3130 of the Revised Laws of Hawaii is hereby amended so as to read as follows:

"Section 3130. Defined. The offense of common nuisance is the endangering of the public personal safety or health, or doing, causing or promoting, maintaining or continuing what is offensive, or annoying and vexatious, or plainly hurtful to the public, or is a public outrage against common decency or common morality, or tends plainly and directly to the corruption of the morals, honesty and good habits of the people, the same being without authority or justification by law:

As, for example, the carrying on a trade, manufacture or business in places so situated that others indiscriminately, who reside in the vicinity, or pass in a highway or public place, or resort to a school house, meeting house or any other place of legal and usual resort or assembly, are liable to be thereby injured, annoyed, disturbed or endangered by deleterious exhalations, noxious vapors, hideous, alarming or disgusting sights, intolerable noise, or otherwise;

Spreading or endangering the spreading of smallpox, or other infectious disease; carrying an infected person, or causing him to pass through a frequented street; opening a hospital or pest house so as to endanger neighbors or the passers-by in a frequented street, or otherwise;

Making or storing gunpowder in or near a populous or public or frequented place, without authority therefor, or otherwise making or storing the same contrary to law;

Blasting with excessive charge of giant powder or other explosives;

Making loud and troublesome noises by night;

Keeping animals that disturb the neighborhood by night;

Permitting ferocious or dangerous animals to go abroad;

Keeping a bawdy house;

Open lewdness or lascivious behavior, or indecent exposure;

Keeping a common gambling house;

Keeping a disorderly house to the public disturbance and annoyance;

Selling, dealing in, having in possession or using sneezing powder or any similar substance other than snuff."

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 105 AN ACT

TO PROVIDE FOR THE DISTRIBUTION OF THE PERSONAL PROPERTY OF DECEASED LEPEES, KOKUAS OR SUSPECTS IN THE COUNTY OF KALAWAO, AND KALIHI HOSPITAL, CITY AND COUNTY OF HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That whenever, by reason of the death of any leper, or of any kokua, resident in the County of Kalawao, or suspect in the Kalihi Hospital, City and County of Honolulu, Territory of Hawaii, and the want of an executor or administrator, any personal property or moneys have or shall come into the possession of the board of health, the secretary of the board of health is hereby empowered to receive such personal property or moneys and to distribute the same, upon the approval of the attorney general, to the persons satisfactorily proven to him to be the persons who would be entitled to the personal estate of the decedent by the terms of the laws of Hawaii, relating to the distribution of estates of intestates; provided, however, that before any such distribution shall be made, notice shall be given to any and all persons having claims to such personal property

or moneys, or against any such deceased person, by publication once a week for four successive weeks in a newspaper, printed in both the Hawaiian and English languages, of general circulation in the Territory of Hawaii, or by posting in three or more conspicuous places in the Territory, to appear and file the said claims.

SECTION 2. That all such claims not presented within one year after the date of publication or posting of the said notice shall be forever barred.

SECTION 3. If the claims against such deceased persons exceed in amount such moneys, then and in such case the said secretary shall convert such other personal property into cash, or so much thereof as may be necessary, and pay such claims; or if there still be insufficient funds for such purpose, then the said secretary shall divide the same pro rata among the creditors of such deceased person.

SECTION 4. That where no such claim to any such personal property or moneys is made, or when any balance remains after the payment of any and all claims made, within the time hereby limited, the secretary of the board of health is hereby required to convert the said personal property, if there be any, into cash, and to deposit immediately the said cash or moneys or balance of the same in the treasury of the Territory of Hawaii as a government realization.

SECTION 5. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 106 AN ACT

MAKING AN APPROPRIATION FOR THE BENEFIT OF R. J. GREEN.

WHEREAS, R. J. Green has for many years served the Territory efficiently and satisfactorily; and

WHEREAS, He is now incapacitated by reason of ill health from further service; Therefore

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The treasurer of the Territory is hereby authorized and directed to pay, upon warrants issued by the auditor of the Territory, the sum of thirty dollars each month to R. J. Green, and to continue so to do for and during the remainder of his life; sufficient moneys to make such payments are hereby appropriated out of the general revenues of the Territory.

SECTION 2. This Act shall take effect on May 1, 1913.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 107 AN ACT

TO TRANSFER THE SUPERVISION, CHARGE AND CONTROL OF HIGHWAYS AND STREETS FROM THE SUPERINTENDENT OF PUBLIC WORKS OF THE TERRITORY TO THE BOARDS OF SUPERVISORS OF THE SEVERAL POLITICAL SUBDIVISIONS OF THE TERRITORY, AMENDING CERTAIN SECTIONS OF THE REVISED LAWS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The general supervision, charge and control of all public highways, roads, alleys, streets, ways, lanes, squares, courts, trails and bridges in the Territory is hereby transferred from the superintendent of public works of the Territory to the several boards of supervisors or other governing bodies of the several political subdivisions of the Territory, and they are hereby charged with the execution of all duties relative thereto which are imposed upon said superintendent of public works by Sections 586 to 648 inclusive of the Revised Laws.

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 108 AN ACT

RELATING TO STREET AND SIDEWALK LINES AND GRADES, REPEALING SECTIONS 737, 738, 739 AND 740 OF THE REVISED LAWS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The board of supervisors or other governing body of any municipal or political subdivision of the Territory is hereby authorized by ordinance to establish the grades of all streets and highways, and the grades and widths of all sidewalks within its jurisdiction.

SECTION 2. Sections 737, 738, 739 and 740 of the Revised Laws are hereby repealed.

SECTION 3. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

BY AUTHORITY.

TENDERS STEAM ROLLER.

The Board of Supervisors of the county of Kauai at Lihue, Kauai, will receive bids until 12 o'clock noon of May 7th for furnishing one ten-ton steam roller equipped with belt drive attachment and detachable mud lugs. Delivery to be made f. o. b. landing at Port Allen within 45 days from notice of acceptance of bid. A certified check for 5 per cent of the amount bid must accompany proposals.

J. H. MORAGNE,
County Road Supervisor,
5532-61.

NOTICE.

Irrigation hours until further notice will be from 6:00 to 8:00 a. m. and from 4:00 to 6:00 p. m. daily.

J. M. LITTLE,
Superintendent, Honolulu Water Works,
5531-746.

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